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UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULA LABRIE, ALFREDO MACIAS,
PETER MILLMAN, TOM CHORTABTIM,
RAF SISON

Plaintiffs,

v.

UPS SUPPLY CHAIN SOLUTIONS, INC.

Defendant.

Case No. 4:08-CV-03182-PJH

**STIPULATION AND (~~PROPOSED~~)
ORDER VACATING ALL PENDING
LITIGATION DATES AND SETTING A
DATE TO FILE A JOINT MOTION FOR
PRELIMINARY APPROVAL OF THE
PARTIES' TENTATIVE SETTLEMENT**

The undersigned parties hereby stipulate as follows:

- After two full days of mediation and additional negotiation, the parties hereto have agreed to a revised Mediator's Proposal for settlement of all aspects of the case and have signed a document incorporating the general terms of that agreement. The parties have begun work on finalizing a Settlement Agreement and the necessary pleadings in support of that Agreement.

2. Under the current court schedule, the parties are required to file complex motions on Monday, November 2, 2009 regarding class certification and Defendant will shortly be required to respond to Plaintiffs' recently filed motion to compel discovery, pending before Magistrate Judge Spero. The parties hereby stipulate that all litigation dates should be vacated immediately to permit the parties to finalize all aspects of the settlement and to move this Court for an order preliminarily approving that settlement and to avoid needless additional litigation.

3. The parties will file a joint motion for preliminary approval of their settlement by November 18, 2009.

DATED: October 28, 2009

LEONARD CARDER, LLP

By: /s/
LYNN ROSSMAN FARIS
Attorneys for PLAINTIFFS

DATED: October 28, 2009

PAUL, HASTINGS, JANOFSKY & WALKER

By: /s/
ROBERT P. KRISTOFF
Attorneys for DEFENDANTS

Pursuant to the parties' Stipulation, all pending deadlines are vacated and the parties are instead ordered to file a Joint Motion For Preliminary Approval on or before November 18, 2009.

DATED: November 2 , 2009

Hon. Phyllis J. Hamilton
United States District Court
Northern District of California

PROOF OF SERVICE

I am a citizen of the United States and am employed in Alameda County. I am over the age of eighteen (18) years and not a party to the within action. My business address is 1330 Broadway, Suite 1450, Oakland, CA 94612. On October 28, 2009, I served the following document(s):

STIPULATION AND (PROPOSED) ORDER VACATING ALL PENDING LITIGATION DATES AND SETTING A DATE TO FILE A JOINT MOTION FOR PRELIMINARY APPROVAL OF THE PARTIES' TENTATIVE SETTLEMENT

I electronically filed the foregoing document(s) with the Clerk of Court using the CM/ECF system which automatically sent notification of such filings to the following:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Oakland, California on October 28, 2009.

/s/ Khae Saechao
Khae Saechao